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OFFICE OF PETITIONS

In re Application of :
Nagashima et al. :
Application No. 09/765,380 : DECISION ON PETITION
Filed: January 22, 2001 : UNDER 37 CFR 1.55(c)
Attorney Docket No. 1080.1045CIPD3 :

This is a decision on the petition under 37 CFR 1.55(c), filed March 8, 2006, to accept an unintentionally delayed claim under 35 U.S.C. § 119(a)-(d) for benefit of priority to the filing date of foreign Japanese Application No. 9-171782, filed June 27, 1997.

The petition is **DISMISSED AS MOOT**.

The petition is accompanied by an oath or declaration (37 CFR 1.63(c)(2)) which includes a reference to the above-noted foreign application(s). In this instance, a reference was made on filing in the oath, to the above-noted foreign application application.

In view of the above, the \$1370.00 petition fee submitted is unnecessary and will be refunded to petitioner's deposit account in due course.

Any questions concerning this decision on petition may be directed to Derek Woods at (571) 272-3232. All other inquiries concerning either the examination procedures or status of the application should be directed to the Technology Center.

This application is being referred to Technology Center AU 2191 for consideration by the examiner of applicant's entitlement to claim benefit of priority under 35 U.S.C. § 119(a)-(d) to the prior-filed application(s).

Frances Hicks
Lead Paralegal
Office of Petitions